

ORIGINAL

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS, et al.,

Defendants,

In the Matter of the Application of POST-
NEWSWEEK STATIONS, INC., et al.

Applicants,

For the Determination of Reasonable License Fees.

41 cv 1395

Civ. ~~13-95~~ (WCC)(MHD)

PROPOSED ORDER

IT IS HEREBY ORDERED that the American Society of Composers, Authors and Publishers' motion to enforce this Court's November 17, 2004 Final Order is granted, and judgment shall be entered against Destiny Communications, LLC, in the amount of [\$33,766.00][], with interest from this date to be calculated as provided for by 28 U.S.C. § 1961.

Dated: July 27, 2009


Michael H. Dolinger
United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

AMERICAN SOCIETY OF COMPOSERS,
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Defendants,

In the Matter of the Application of POST-
NEWSWEEK STATIONS, INC., et al.

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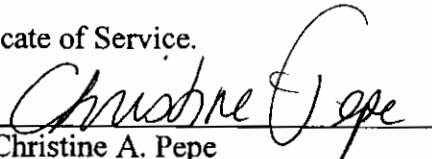
For the Determination of Reasonable License Fees.

Civ. 13-95 (WCC)(MHD)

CERTIFICATE OF SERVICE

I, Christine A. Pepe, hereby certify under penalty of perjury that I caused Darnell Washington, the President of Destiny Communications LLC, to be personally served with a true and correct copy of the following documents: Notice of Motion, Proposed Order, Memorandum of Law in Support of ASCAP's Motion to Enforce the Court's November 17, 2004 Final Order against Destiny Communications, LLC, and the Declaration of Ray Schwind with attached Exhibits 1-6. Such service was made by a process server, and a true and correct copy of the process server's affidavit of service is attached to this Certificate of Service.

Dated: 6/30/2009
New York, New York


Christine A. Pepe
One Lincoln Plaza
New York, New York 10023
Phone: (212) 621-6200
Fax: (212) 787-1381
Attorney for the American Society of
Composers, Authors and Publishers

United States District Court
Southern District of New York

POST-NEWSWEEK STATIONS, INC., ET AL.

Case No.: Civ. 13-95

In Re:

v.

DESTINY COMMUNICATIONS LLC
118 SIXTH STREET SOUTH
GREAT FALLS, MT 59401

To:

AFFIDAVIT OF CORPORATE SERVICE

That I, Brian Mook, hereby solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the following document are true and do affirm I am a competent person over 18 years of age and not a party to this action.

That on 6/19/09 at 2:01 am/pm I served Darnell Washington, President, Destiny Communications LLC with the following list of documents: Please serve the following four documents: (1) Notice of Motion, (2) Proposed Order, (3) Memorandum in Support of ASCAP's Motion to Enforce the Court's November 17, 2004 Order Against Destiny Communications, LLC, and (4) Declaration of Ray Schwind with attached exhibits 1-6. by then and there personally delivering a true and correct copy of the documents into the hands of and leaving with Darnell Washington, whose Title is President.

116 6th St S Great Falls MT 59405
Address City State Zip

That the above-named person served stated they had the authority to accept as the Legal Representative for the above listed person or entity being served.

That the description of the person actually served is as follows:

Skin: BLK Sex: M Age: 47 Height: 5'10" Weight: 170 Hair: BLK Glasses: _____



Due ProcessUSA, Inc.
8950 Route 108, Suite 100
Columbia, MD 21045
(800) 228-0484

6/19/09
Executed on:

Subscribed and sworn to before me, a notary public, on this 19th day of JUNE, 2009.

Notary Public

My Commission Expires: 12-8-12